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*Attorneys for Defendant
Three Wishes Foods, Inc.*

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA**

LYDIA HARVILLE, an individual, on
behalf of herself, the general public, and
those similarly situated,

Plaintiff,

v.

THREE WISHES FOODS, INC.,

Defendant.

CASE NO. 5:22-cv-04774-EJD

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO EXTEND BRIEFING
SCHEDULE ON DEFENDANT'S
MOTION TO STAY**

AS MODIFIED

Pursuant to Civil Local Rule 6-1(b), 6-2(a), and 7-12, Plaintiff Lydia Harville (“Plaintiff”) and Defendant Three Wishes Foods, Inc. (“Defendant,” and together with Plaintiff, the “Parties”), by and through their undersigned counsel of record, hereby stipulate with respect to the briefing deadlines for Defendant’s Motion to Stay (ECF No. 34):

WHEREAS, Plaintiff filed her complaint on August 19, 2022 (ECF No. 1);

WHEREAS, pursuant to stipulation (ECF No. 13), Defendant filed its Motion to Dismiss on October 21, 2022 (ECF No. 17);

WHEREAS, the hearing on Defendant’s Motion to Dismiss was set for March 30, 2023 (ECF No. 17);

WHEREAS, Plaintiff filed her Opposition to Defendant’s Motion to Dismiss on November 25, 2022. (ECF No. 21);

WHEREAS, Defendant filed its Reply in support of its Motion to Dismiss on December 22, 2022. (ECF No. 22).

WHEREAS, Defendant filed its Motion to Stay on March 20, 2023. (ECF No. 34).

WHEREAS, the hearing on Defendant’s Motion to Stay is on July 13, 2023 (ECF No. 34), and the hearing on Defendant’s Motion to Dismiss was continued to July 13, 2023 (ECF No. 36).

WHEREAS, the current deadline for the opposition to the Motion to Stay is April 3, 2023 (ECF No. 36);

WHEREAS, the current deadline for the reply in support of the Motion is April 10, 2023 (ECF No. 36);

WHEREAS, due to competing case deadlines in other cases, Plaintiff requested, and Defendant agreed to, an extension on the briefing schedule for the Motion to Stay;

WHEREAS, the proposed schedule will not alter the date of any other event or any deadline, including the hearing on the Motion to Dismiss and Motion to Stay;

WHEREAS, no party will be prejudiced by the stipulated-to extension of time;

WHEREFORE, the Parties stipulate and agree that the briefing deadlines on Defendant's Motion to Stay be set as follows:

- a) Plaintiff's Opposition to Defendant's Motion to Stay: April 10, 2023
- b) Defendant's Reply in Support of its Motion to Stay: April 17, 2023
- c) The hearing, if any, on the Motion to Stay shall take place on July 13, 2023.

IT IS STIPULATED AND AGREED.

DATED: March 31, 2023.

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s/Rajiv V. Thairani

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FILER ATTESTATION


I, Rajiv V. Thairani, attest under Local Rule 5-4.3.4(a)(2)(i) that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

s/ Rajiv V. Thairani
Rajiv V. Thairani

~~PROPOSED~~ ORDER

PURSUANT TO JOINT STIPULATION, IT IS SO ORDERED: Plaintiff's deadline to file an opposition to Defendant's Motion to Stay is April 10, 2023. Defendant's deadline to file a reply in support of its Motion to Stay is April 17, 2023. The hearing on Defendant's Motion remains set for ~~2:00 p.m.~~ **9:00 a.m.** on July 13, 2023.

Dated: March 31, 2023



The Honorable Edward J. Davila
United States District Judge
Northern District of California